

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty**

In the Matter of COEYMANS MARINE TOWING, LLC D/B/A CARVER MARINE TOWING as Owner and Operator of M/T Mackenzie Rose, (IMO No. 8968765) her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., *in rem*, petitioning for Exoneration from or Limitation of Liability in allision with Norfolk and Portsmouth Belt Line Railroad Company Main Line Railroad Bridge occurring June 15, 2024 in and about the Elizabeth River, Virginia.

Civil Action No: 2:24-cv-00490

**PETITIONER’S UNOPPOSED MOTION TO
MODIFY TRIAL WITNESS AND EXHIBIT DISCLOSURE DEADLINES**

Petitioner Coeymans Marine Towing, LLC dba Carver Marine Towing (“Petitioner” or “Carver”), by its counsel, moves unopposed for an extension and modification of Petitioner’s pretrial Rule 26(a)(3) disclosure deadline and the corresponding deadline for Claimants Norfolk & Portsmouth Belt Line Railroad Company and Evanston Insurance Company to assert objections to Petitioner’s disclosures. In support of the Unopposed Motion, Petitioner states as follows:

1. The scheduling Order provides for the parties to disclose their pretrial Rule 26(a)(3) disclosures on or before September 12, 2025 and to serve objections thereto on or before September 18, 2025. ECF 32.
2. Petitioner respectfully requests an extension of time to disclose its pretrial Rule 26(a)(3) disclosures on or before September 15, 2025 (a 1-day extension of time).
3. Petitioner has conferred with Claimants’ regarding the requested extension. Claimants have no objection to Petitioner’s request on condition that Claimants’ receive a

corresponding 1-day extension of time to lodge objections to Petitioner's Rule 26(a)(3) disclosures.

4. Petitioner has no objection to Claimants' proposal. Accordingly, Petitioner respectfully requests, unopposed, that the Court modify the scheduling Order to reflect that Petitioner shall serve its pretrial Rule 26(a)(3) disclosure information on or before September 15, 2025 and Claimants shall serve any Objections thereto on or before September 22, 2025.

5. Petitioner submits a corresponding proposed order reflecting the unopposed relief sought herein. This Motion is brought in good faith and not for purposes of undue delay. This is Petitioner's first request for an extension of the referenced deadline.

WHEREFORE, Petitioner, Coeymans Marine Towing LLC d/b/a Carver Marine Towing respectfully requests that the Court grant its Unopposed Motion to Modify Trial Witness and Exhibit Deadlines, and enter an Order reflecting that Petitioner shall serve its pretrial disclosures pursuant to Rule 26(a)(3) on or before September 15, 2022 and Claimants shall serve any Objections thereto on or before September 22, 2025, and award all other relief as the Court deems just and proper.

Dated: September 15, 2025

Respectfully submitted,

/s/ Harold L. Cohen

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*Counsel for Petitioner Coeymans Marine
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CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2025, a true and correct copy of the foregoing document was filed using the Court's CM/ECF system, which will serve all counsel of record by electronic mail as follows:

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